THE HONOURABLE SRI JUSTICE N.V.RAMANA

W. P.No.9468 of 2007

Dated:11.07.2007

Between:

A.P.Government Vehicle Drivers' Association, Nellore District, rep. by its President T. Ramanaiah.

.....PETITIONER

AND

The Government of Andhra Pradesh, rep. by its Secretary General Administration Department, Secretariat Buildings, Secretariat, Hyderabad and others.

....RESPONDENTS

THE HONOURABLE SRI JUSTICE N.V.RAMANA

W.P.No.9468 of 2007

ORDER:

Questioning the inaction of the 2nd and 3rd respondents in not implementing the orders passed by 1st respondent in G.O.Ms.No.127 General Administration (Ser.B) Department, dated 22.04.2003 in so far as Medical and Health Department is concerned, on par with the other Departments, the present writ petition is filed by the petitioner-Association.

2. The petitioner-Association states that on the representation made by it to the 1st respondent for creation of Head Drivers/Senior Drivers posts for light vehicle drivers in each of the Secretariat Departments as well as in the office of the Head of Department and in District Subordinate Offices in order to relieve stagnation in the category of Drivers, the Government issued orders in G.O.Ms.No.127 General Administration (Ser.B) Department, dated 22.04.2003 for creation of one post of Senior Driver (light Vehicle) in the scale of pay of Rs.3550-7150 for every 10 posts of light vehicle drivers by upgrading one existing post of light vehicle driver in the Departments of Secretariat and in the office of the Heads of the Department as well as in the District

Subordinate Offices of their respective unit of department in each District. The grievance of the petitioner-Association is that because of non-implementation of the orders in G.O. Ms.No.127 dated 22.04.2003 by the respondents till today, the members of the petitioner-Association are denied the benefit of the post of Senior Drivers/Head Drivers even though the other departments have implemented the said orders. Hence, the present writ petition is filed.

3. This Court, on 04.06.2007, while issuing notice before admission, granted two weeks time to respondents to file counter affidavit and if the respondents fail to counter, then respondents shall appear before the Court in person. Despite granting time to the respondents to file counter-affidavit, the respondents neither filed counter nor made their appearance. However, on behalf of 1st respondent, learned Government pleader for General Administration Department expressed no objection for issuance of a direction to the respondents to implement the G.O. in question, more so when it is in force and not rescinded.

4. The learned Assistant Government Pleader for the 2nd and 3rd respondents submitted that the 3rd respondent has submitted proposals to his higher authorities for sanction of necessary posts for onwards implementation of the said G.O., but so far no orders thereon have been passed by the said authorities.

5. In the circumstances, both the counsel agreed to dispose of the writ petition with a direction to the 2nd and 3rd respondents to implement the said G.O. in its letter and spirit within a particular time frame.

6. Accordingly, the Writ Petition is disposed of directing the 2nd and 3rd respondents to implement the G.O. Ms. No.127 General Administration (Ser.B) Department dated 22.04.2003 in its letter and spirit, within a period of three months from the date of receipt of a copy of this order. No costs.

p_____
N.V. RAMANA, J.

Date:11.07.2007.

sj